

Message Text

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ACTION EUR-12

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C O N F I D E N T I A L BONN 06169

E.O. 11652: GDS
TAGS: PGOV, BQG, AKB, PORS
SUBJECT: FRG REQUEST TO PERMIT ARMING OF PROSECUTORS
AT LORENZ KIDNAPPING TRIAL IN BERLIN

REF: (A) USBER 717
(B) USBER 674

1. AT THE APRIL 4 BONN GROUP MEETING, THE FRG REP (WEGENER) RAISED THE QUESTION OF PERMITTING THE THREE FEDERAL PROSECUTORS IN THE LORENZ TRIAL TO CARRY WEAPONS. HE SAID THE BERLIN SENATOR FOR JUSTICE AND THE FRG MINISTRY OF JUSTICE AGREE THAT THEY SHOULD BE PERMITTED TO CARRY ARMS. REFERRING TO THE ALLIED REFUSAL TO LET THEM DO SO (REF B), HE SAID THAT THE ARGUMENT THAT THIS WOULD CREAT A PRECEDENT IS NOT FULLY VALID SINCE THE LORENZ TRIAL IS UNIQUE. IN THE CASE OF AN INCIDENT, THE FRG COULD NOT EXPLAIN TO THE PRESS AND THE PUBLIC WHY THE PROSECUTORS HAD BEEN DENIED WEAPONS FOR THEIR OWN PROTECTION.

2. THE US REP NOTED THAT THE PROSECUTORS WILL BE AFFORDED BODYGUARD PROTECTION. WEGENER SAID THAT THIS SEEMS TO BE INSUFFICIENT SINCE THE BODYGUARDS CANNOT BE

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CLOSE TO THE OFFICIALS AT ALL TIMES, E.G. IN THE COURTROOM. (FOR USBER: IS THIS CORRECT, AND IF SO, DOES IT INCREASE THE THREAT?) EATON ASKED WHETHER THE BERLIN SENATOR'S VIEWS ALSO REFLECTED MAYOR STOBBE'S VIEWS. WEGENER SAID THERE WAS NO INDICATION THAT STOBBE DISAGREED (CF REFTELS). THE US REP SAID THAT THE MISSIONS IN BERLIN WERE SEIZED OF THE PROBLEM AND

THAT HE WOULD REPORT THE FRG INTEREST.

3. EATON CAUTIONED WEGENER AGAINST OPTIMISM THAT A SOLUTION, OTHER THAN THE PROVISION OF BODYGUARDS, COULD BE FOUND VERY QUICKLY. THE ALLIED ARGUMENT CITED BY WEGENER WAS ONLY ONE OF THOSE WHICH WERE BEHIND THE ALLIED DECISION AND THE ALLIED VIEW HAS BEEN THAT TO PERMIT THE PRIVATE CARRYING OF WEAPONS IN CIRCUMSTANCES DESCRIBED BY WEGENER WOULD REQUIRE AN AMENDMENT OF FOUR-POWER LEGISLATION. HE SAID THAT THE PREFERENCE OF THE MISSIONS IS THEREFORE FOR BODYGUARD PROTECTION AND THAT HE COULD NOT SUGGEST THAT ANY OTHER SOLUTION WOULD BE AN EASY ONE.

4. COMMENT: THE US REP INQUIRED OF WEGENER ON APRIL 5 AS TO WHETHER THE FRG MEANT TO REQUEST FORMALLY THAT THE ALLIES ALLOW PROSECUTORS TO BEAR ARMS IN BERLIN. WEGENER SAID THAT IT DID NOT. HIS PURPOSE IN RAISING THE MATTER IN THE BONN GROUP WAS TO EXPRESS THE FRG'S "GREAT CONCERN" ABOUT THE SITUATION AND THE HIGH-LEVEL INTEREST IN THE MATTER. HOWEVER, THE FRG APPRECIATED THAT THE ALLIES ALONE WERE COMPETENT TO DECIDE WHO COULD CARRY ARMS IN BERLIN AND THAT THE FRG DID NOT WANT TO INTERFERE IN THIS DECISION-MAKING PROCESS. NONETHELESS, THE FRG DID WANT THE ALLIES TO BE AWARE OF ITS VIEWS. ALTHOUGH WEGENER DID NOT SAY SO AT THE CONFIDENTIAL

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BONN GROUP MEETING, HE LATER SAID THAT THE VIEWS HE EXPRESSED REPRESENT THE CONSIDERED OPINION OF THE FRG, INCLUDING THE FOREIGN OFFICE.
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